

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON - SEATTLE

RICHARD O. BUSE,

Plaintiff,

vs.

FIRST AMERICAN TITLE INSURANCE
COMPANY; FORCLOSURELINK, INC.;
GREENPOINT MORTGAGE FUNDING
INC.; MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.;
RESCOMM HOLDINGS NO. 2, LLC; UM
ACQUISITIONS, LLC; TOM BLOCK; and
Doe Defendants 1 through 20,,

Defendants.

Case No. C-08-0510-MJP

REQUEST FOR JUDICIAL NOTICE IN
SUPPORT OF DEFENDANTS' FIRST
AMERICAN TITLE INSURANCE
COMPANY AND FORECLOSURELINK,
INC.'S MOTION FOR SUMMARY
JUDGMENT, OR ALTERNATIVELY,
FOR SUMMARY ADJUDICATION

NOTE ON MOTION CALENDAR
April 24, 2009

Defendants First American Title Insurance Company and Foreclosurelink, Inc., in support of their Motion for Summary Judgment, or Alternatively, for Summary Adjudication of Causes of Action, request the Court to take judicial notice pursuant to Federal Rule of Evidence 201 of the following:

1. A Notice of Discontinuance of Trustee's Sale dated June 26, 2008, and recorded on July 3, 2008, as instrument number 20080703001010 in the official records of King County, Washington, regarding the real property commonly known as 31210 Carnation Duvall Road Northeast, Carnation, Washington 98014, aka 9424 Carnation Duvall Road Northeast, Carnation, Washington 98014 ("Subject Property"). A true and correct copy of the deed of trust is attached hereto as **Exhibit A**.

1 Respectfully submitted,

2 Dated: March 30, 2009

PITE DUNCAN, LLP

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4  /s/ Peter J. Salmon

PETER J. SALMON, WSBA No. 31382
Attorneys for Defendants FIRST
AMERICAN TITLE INSURANCE
COMPANY AND FORECLOSURELINK,
INC.

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EXHIBIT A

Foreclosurelink, Inc.
4001 Hazel Avenue, Suite 225
Fair Oaks, CA 95628

**20080703001010**

FIRST AMERICAN DTS 43.00
PAGE 001 OF 002
07/03/2008 13:21
KING COUNTY, WA

AFTER RECORDING, RETURN TO:

FORECLOSURELINK, INC.
4401 HAZEL AVE
SUITE 225
FAIR OAKS, CA 95628

Loan #: carnation duvall
Title #: 3496874
TS #: fc17644-5

1ST AM @/43

NOTICE OF DISCONTINUANCE OF TRUSTEE'S SALE

RICHARD O. BUSE is the grantor, and PLACER TITLE COMPANY is the trustee, and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC., SOLELY AS NOMINEE FOR LENDER is the beneficiary under that certain deed of trust dated 06/09/2004, and Recorded on 07/29/2004 AS AUDITOR NO. 20040729000563, records of King, Washington.

Said deed of trust encumbers the following property:
PARCEL A, LOT 1, LOTS 5 & 6 STILLWATER VOL. 19, PLAT 11
SEE ATTACHED FOR COMPLETE LEGAL DESCRIPTION

The undersigned trustee hereby discontinues the trustee's sale set by the Notice of Trustee's Sale Recorded on 12/04/2007, as Instrument # 20071204001361, records of King, Washington.

This discontinuance shall not be construed as waiving any breach or default under the aforementioned deed of trust or as impairing any right or remedy thereunder, or as modifying or altering in any respect any of the terms, covenants, conditions or obligations thereof, but is and shall be deemed to be only an election, without prejudice, not to cause the sale to be made pursuant to the aforementioned Notice of Trustee's Sale.

Dated: June 26, 2008

FIRST AMERICAN TITLE INSURANCE COMPANY, Trustee
By: ForeclosureLink, Inc., Agent



Name: Hidi McKay
Title: Trustee Sale Officer

STATE OF CALIFORNIA

COUNTY OF SACRAMENTO

)
) ss.
)

On 06/26/2008 before me, Misty Montgomery, Notary Public, personally appeared Hidi McKay, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

